

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HAROLD AUSTAD,

Plaintiff,

- against -

ARJAY WIRELESS, INC. et al.,

Defendants.
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ORDER

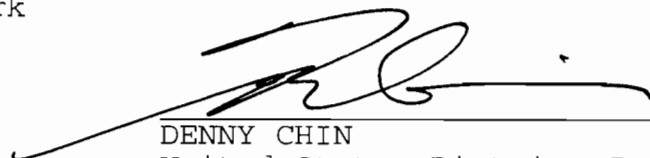
08 Civ. 4445 (DC)

CHIN, District Judge

By letter dated April 6, 2009, counsel for defendant Connectivity Services, Inc. ("Connectivity") requests that the Court order the parties to appear for the deposition of Alfred Hammer, a non-party witness. The request is denied. Connectivity can subpoena Hammer for a deposition, on notice to the other parties, and opposing counsel are free to attend. If they are given reasonable notice and choose not to attend, then they waive their right to examine Hammer.

SO ORDERED.

Dated: New York, New York
April 14, 2009


DENNY CHIN
United States District Judge